

**Introduced by Senator Haynes**February 26, 1999

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An act to amend Sections 4094.8 and 11402.6 of the Welfare and Institutions Code, relating to mental health.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1113, as introduced, Haynes. Mental health: community treatment facility pilot project.

Existing law authorizes, until January 1, 2000, a pilot project community care facility at the Van Horn Regional Treatment Facility in Riverside County. Existing law provides for the AFDC-FC benefits program which provides for the needs of certain eligible children in foster care. Existing law also provides, until January 1, 2000, that any child otherwise eligible for AFDC-FC with federal financial participation who is placed in the pilot project facility shall be eligible for AFDC-FC benefits.

This bill would extend these provisions until January 1, 2004.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 4094.8 of the Welfare and  
2 Institutions Code is amended to read:  
3 4094.8. (a) There is hereby authorized the operation  
4 of the Van Horn Regional Treatment Facility in Riverside  
5 County as a pilot project community care facility as  
6 defined in Section 1502 of the Health and Safety Code.



1 The facility shall be operated at the election of  
2 participating counties, in a joint program, with 30 beds,  
3 at the request of, and sponsored by, one or more of the  
4 following counties: Riverside, San Bernardino, Orange,  
5 San Diego, and Los Angeles. Each of the sponsoring  
6 counties may utilize six or more beds in the facility at any  
7 one time.

8 (b) The facility may seek a license from the State  
9 Department of Social Services as a community care  
10 facility in accordance with the California Community  
11 Care Facilities Act (Chapter 3 (commencing with  
12 Section 1500) of Division 2 of the Health and Safety  
13 Code). The facility operator shall be selected by  
14 participating counties in accordance with a competitive  
15 procurement.

16 (c) The facility operator shall be required to comply  
17 with applicable licensing standards for group homes,  
18 except for those standards that prohibit operation of a  
19 facility with a secure perimeter.

20 (d) The facility operator and the participating  
21 counties shall develop educational programs based on  
22 criteria that will meet the educational requirements and  
23 needs of the placements at the facility. Any educational  
24 program shall take place on the grounds of the facility.

25 (e) All placements shall be limited to minors  
26 adjudicated by the juvenile court as wards of the court  
27 under Section 602. Although the Van Horn Regional  
28 Treatment Facility has a secured perimeter, all  
29 placements shall be voluntary, with the informed consent  
30 of the minor. Pursuant to voluntary placement, if a minor  
31 does not wish to remain in the residential facility, the  
32 minor shall have access to a telephone placement worker  
33 for immediate removal. Any juvenile placed at the facility  
34 shall have the right to seek and obtain an alternative  
35 placement as directed by the juvenile court or the  
36 participating county. Requests for alternative placement  
37 shall be processed promptly so the alternative placement  
38 occurs as soon as possible consistent with the best interests  
39 of the juvenile and the availability of alternative  
40 placements.



(f) The facility operator shall be paid for each child in placement at the facility at the AFDC-FC rate classification established by the State Department of Social Services. If the facility operator operates the program at an RCL 13 or RCL 14 level, the facility operator shall comply with the program requirements of Section 11462.01, except any provision that may prohibit operation of a facility with a secure perimeter.

(g) (1) Notwithstanding the secure perimeter of the facility or the availability of federal financial participation, the facility operator may apply to the State Department of Social Services to establish a rate and receive payment as a group home.

(2) In order to establish the state's eligibility for federal reimbursement for children in the program established pursuant to this section, the State Department of Social Services shall apply for all federal waivers that may be required.

(3) If the department is unable to obtain the necessary federal waiver pursuant to paragraph (2), the facility may not be operated with a secure perimeter.

(h) County participation as a participating county shall be voluntary.

(i) Razor wire shall not be used to secure the perimeter of any facility.

(j) For purposes of this section, "secure perimeter" means an external boundary of the facility, including yard areas, that is functionally locked to the residents. If a facility provides multiple levels of care or the physical layout of the facility has separate and distinct sections, each level or section licensed by the department may be secure. The purpose of the secure perimeter is to provide free movement in a safe area to residents within the boundaries of the facility, including yard areas, and to prevent impulsive, runaway behaviors.

(k) The department shall submit a report on the provisions of this section to the Legislature.

(l) This section shall remain in effect only until January 1, ~~2000~~ 2004, and as of that date is repealed, unless

1 a later enacted statute, that is enacted on or before  
2 January 1, ~~2000~~ 2004, deletes or extends that date.

3 SEC. 2. Section 11402.6 of the Welfare and Institutions  
4 Code is amended to read:

5 11402.6. (a) Any child who is otherwise eligible for  
6 AFDC-FC with federal financial participation who is  
7 placed in a facility authorized by Section 4094.8 shall be  
8 eligible for AFDC-FC under this chapter.

9 (b) This section shall remain in effect only until  
10 January 1, ~~2000~~ 2004, and as of that date is repealed, unless  
11 a later enacted statute, that is enacted before January 1,  
12 ~~2000~~ 2004, deletes or extends that date.

